

## Message Text

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11  
ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 INT-05 COME-00 STR-04 AGR-05 L-03

ITC-01 SP-02 DLOS-06 SAL-01 EB-07 CG-00 DOTE-00 PM-04

NSC-05 SS-15 H-02 CIAE-00 INR-07 NSAE-00 /086 W

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FM AMEMBASSY WARSAW  
TO SECSTATE WASHDC 3262

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OES FOR AMBASSADOR RIDGWAY

E.O. 11652: N/A  
TAGS: EFIS, ETRD, PL  
SUBJECT: US-POLISH FISHERY AGREEMENT AND THE US-POLAND  
TRADE COMMISSION

REF: WARSAW 5333

1. EMBOFF HAS SPOKEN WITH OFFICIALS OF THE MARITIME  
DEPARTMENT OF THE MINISTRY OF FOREIGN TRADE AND MARITIME  
ECONOMY CONCERNING THE POSSIBILITY OF DISCUSSING COOPERATION  
AMONG US-POLISH FISHING ENTERPRISES AT THE SEPTEMBER 14-16  
SESSION OF THE US-POLISH JOINT TRADE COMMISSION. ALTHOUGH  
THE POLES HAVE APPARENTLY NOT YET REACHED A DECISION  
WHETHER OR HOW THEY WOULD LIKE TO HAVE SUCH COOPERATION  
DISCUSSED AT THE SEPTEMBER MEETING, MINISTRY OFFICIALS DID  
INDICATE THAT THE POSSIBLE FORMATION OF JOINT VENTURES  
AMONG US FISH-PROCESSING CONCERNS AND POLISH FISHING VESSELS  
WOULDBE THE KEY ITEM OF INTEREST FOR THEM. SPECIFICALLY,  
THEY WONDERED WHETHER SUCH A JOINT VENTURE MIGHT ALLOW  
VESSELS OWNED BY THE JOINT COMPANY TO QUALIFY FOR US  
REGISTRATION, AND THEREFORE ENTITLE THE VESSELS  
TREATMENT AS US VESSELS FOR FISHING IN THE US ECONOMIC ZONE.

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2. EMBOFF REPLIED THAT THE ESTABLISHMENT OF SUCH JOINT

VENTURES WOULD HAVE TO BE IN ACCORD WITH APPLICABLE FEDERAL AND STATE LAWS ON FOREIGN INVESTMENT. EMBOFF SAID US SIDE COULD INDICATE THE PARAMETERS OF FEDERAL LAW ON FOREIGN INVESTMENT DURING THE TRADE COMMISSION MEETING, AS WELL AS POINT OUT THE APPROPRIATE STATE AUTHORITIES FOR THE POLES TO CONTACT CONCERNING VENTURES IN SPECIFIC STATES. EMBOFF SAID THAT REGISTRY AND POSSIBLE NATIONAL TREATMENT OF JOINT VENTURE VESSELS WAS AN ENTIRELY DIFFERENT QUESTION AND ONE WHICH WOULD PROBABLY NOT BE APPROPRIATE FOR THE JOINT TRADE COMMISSION TO DISCUSS. EMBOFF SAID HE WAS NOT CERTAIN WHETHER SOME OF THE VESSELS OF A JOINT VENTURE COULD BE ENTITLED TO US REGISTRY. EMBOFF SAID THERE WOULD PROBABLY HAVE TO BE SOME LOGICAL LIMIT ON THE NUMBER OF JOINT VENTURE VESSELS THAT COULD QUALIFY FOR TREATMENT AS US VESSELS, SINCE THE RAPID PROLIFERATION OF JOINT VENTURES COULD SUBVERT THE INTENT OF THE LEGISLATION WITH REGARD TO CATCH BY US FISHERMEN. EMBOFF SAID THAT THIS POSED INTERESTING QUESTIONS WHICH SHOULD PROBABLY BE DEALT WITH DURING LATER CONSULTATIONS AS PROVIDED IN ARTICLE XII OF THE FISHERY AGREEMENT.

3. COMMENT: THIS THE FIRST TIME THE POLES HAVE INDICATED WHAT SPECIFIC BENEFIT THEY MIGHT HOPE TO GET OUT OF JOINT FISHING VENTURES IN THE US. THE FIRST STEP IN DISCUSSING SUCH JOINT VENTURES SHOULD BE A DESCRIPTION OF FEDERAL LAWS ON FOREIGN INVESTMENT DURING THE SEPTEMBER MEETING OF THE JOINT TRADE COMMISSION, ASSUMING THAT THE POLES ASK TO HAVE THIS SUBJECT INCLUDED IN THE MEETING AGENDA. THE EMBASSY REQUESTS THAT THE WASHINGTON AGENCIES CONSIDER WHETHER QUESTIONS CONCERNING REGISTRY AND TREATMENT OF JOINT VENTURE VESSELS COULD BE READILY ANSWERED AT THE SEPTEMBER MEETING OR WHETHER THESE QUESTIONS WOULD MORE APPROPRIATELY BE LEFT FOR US-POLISH FISHERY CONSULTATIONS LATER THIS YEAR.  
END COMMENT.  
BROWN

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